

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

RAPHAEL R. CALHOUN,

Plaintiff,

v.

JULIE LYNCH, *et al.*,

Defendants.

Case No. 2:24-CV-3078

Judge Graham

Magistrate Judge Silvain

OPINION AND ORDER

This matter is before the court for consideration of the October 16, 2024 report and recommendation of the United States Magistrate Judge to whom this case was referred pursuant to 28 U.S.C. § 636(b). (ECF No. 25). The Magistrate Judge concluded that Plaintiff's request to put the case on hold should be interpreted as a motion to "voluntarily dismiss this action so that Plaintiff may first pursue relief in the state courts." (*Id.* at 3).

The report and recommendation specifically advised the parties that failure to object to the report and recommendation within fourteen days of the report will result in a waiver of the right to de novo review by the District Judge and waiver of the right to appeal the judgment of the District Court. (*Id.* at 3). The time period for filing objections to the report and recommendation has expired and no party has objected to the report and recommendation. The Court has reviewed and agrees with the report and recommendation and **ADOPTS** the same. This action is **DISMISSED without prejudice**. Plaintiff's pending Motions (ECF No. 2, 17, 20) are denied as moot.

IT IS SO ORDERED.

s/ James L. Graham _____
JAMES L. GRAHAM
United States District Judge

DATE: November 5, 2024